

RULES AND REGULATIONS
OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS
CITY OF JOLIET
STATE OF ILLINOIS

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Joliet City Council June 20, 2017 via CM#337-17, Resolution # 7156**

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BOARD OF FIRE & POLICE COMMISSIONERS

Herb Lande, Chairman
Joseph Strong, Secretary/Commissioner
George Hernandez, Commissioner
Craig Purchase, Commissioner
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**To: The Officers and Members of the Fire and Police Departments,
City of Joliet, State of Illinois**

The Board of Fire and Police Commissioners of the City of Joliet has, from time to time, revised the rules and regulations for the recruitment, appointment, promotion, recognition, and discipline of personnel of the Joliet Fire and Joliet Police Department.

The rules and regulations herein set forth have been adopted by the City Council and approved by this Board, and will be used as a basis for its judgment and decisions.

Every member of the Joliet Fire Department or Joliet Police Department should know and thoroughly understand those rules pertaining to his respective department, acting at all times in strict compliance therewith.

The City of Joliet is an Equal Opportunity/Reasonable Accommodation Employer.

BOARD OF FIRE AND POLICE COMMISSIONERS

***RULES AND REGULATIONS OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS OF THE CITY OF JOLIET***

CHAPTER I - ADMINISTRATION

SECTION 1 - SOURCE OF AUTHORITY

The Board of Fire and Police Commissioners of the City of Joliet, Illinois derives its power and authority from Section 2-271 through Section 2-275 of the Code of Ordinances of the City of Joliet and pursuant to power and authority derived from an Act of the General Assembly entitled "Division 2.1 Board of Fire and Police Commissioners" of Chapter 65 of the Illinois Compiled Statutes, as amended ("the Act") and the home rule powers as of the City of Joliet as provided in Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970. Any references to certain provisions of the Act or other laws set forth in these Rules and Regulations are merely provided as general reference points and are not to be construed as a limitation on the City's use of its home rule authority to adopt certain rules and regulations that may be less stringent or more stringent or may eliminate or add regulations beyond those contained in the Act or other applicable laws.

SECTION 2 - DEFINITIONS

The word "Commission", "Commissioners" or "Board" wherever used shall mean the Board of Fire and Police Commissioners of the City of Joliet, Illinois. The masculine noun or pronoun includes the feminine. The singular includes the plural, and the plural the singular.

SECTION 3 - OFFICERS OF BOARD AND THEIR DUTIES

The Board shall annually, on the first meeting of the calendar year, elect a Chairman and a Secretary. They shall hold office until the end of the fiscal year of the municipality and until their successors are duly elected and qualified. The Chairman shall be the presiding officer at all meetings. The Secretary (or designee) shall keep the Minutes of all meetings of the Board in a permanent record book and shall be the custodian of the forms, papers, books, records and completed examinations of the Board.

SECTION 4 - MEETINGS

- A. Regular meetings shall be held monthly, notice shall be posted and meetings shall be open to the public.

- B. Special meetings shall be open, notice thereof to be posted forty-eight (48) hours prior to convening, called by the filing of a notice in writing with the Secretary of the Board and acknowledged either by the Chairman of the Board or any three members thereof. This notice shall contain a brief statement of the business to be submitted for the consideration of the Board at such special meetings, and shall set forth the time and place of such special meeting, and no other business shall be considered at such special meeting.
- C. During any regular or special meeting, a closed session may be held upon a proper motion made by any member of the Board and seconded for the purposes set forth in 5 ILCS 120/2(c). Closed sessions may be limited to Board members and such invited persons as the Board may deem necessary. The Secretary will record the motion to close the meeting, record the roll call vote of the members on said motion and keep minutes of the closed session.
- D. All meetings shall be held in accordance with the *Open Meetings Act*, (5 ILCS 120/1 et seq.).

SECTION 5 - QUORUM

A majority of the members of the Board shall constitute a quorum for the conduct of all business.

SECTION 6 - ORDER OF BUSINESS

The order of business at any meeting shall be:

- Call to Order
- Roll Call
- Approval of Minutes
- Citizens to be Heard
- Secretary's Report
- Unfinished Business
- New Business
- Executive Session
- Adjournment

SECTION 7 - PROCEDURE

The parliamentary procedure prescribed in Robert's "Rules of Order" and the City of Joliet Code of Ordinances shall be followed as far as practicable.

SECTION 8 - AMENDMENTS

Amendments to the rules of the Board may be made at any meeting of the Board subject to approval by the City Council. All amendments shall forthwith be printed for distribution.

SECTION 9 - RULES GOVERNING MEETINGS OF THE JOLIET BOARD OF FIRE AND POLICE COMMISSIONERS

- Rule 1.** Meetings of the Board of Fire and Police Commissioners shall be held on the call of the Chairman or three members of the Board. Three members shall constitute a quorum for the transaction of business.
- Rule 2.** The Board shall annually, on the first meeting of the calendar year, elect in a Chairman and Secretary from amongst their ranks who shall hold their offices until their successors are duly elected and qualified.
- Rule 3.** The Chairman shall be the presiding officer at all meetings and shall attend to all the duties ordinarily pertaining to such office. The Secretary shall keep a record of the proceedings of the Board in a book to be kept for that purpose.
- Rule 4.** Whenever so directed by the Chairman or by three members as stated in Rule 1, it shall be the duty of the Secretary of the Board to call a meeting in accordance with the Open Meetings Act. In addition, meeting notices shall be given to each member, the news media and to the City Manager.
- Rule 5.** All rules, regulations or resolutions presented to the Board shall be in writing and shall be signed by the member or members presenting the same. Any such rule, regulation or resolution, or other written communication to the Board, shall be read aloud by the Secretary before being acted upon by the Board.
- Rule 6.** Motions may be stated orally by any member and shall be recorded in the minutes together with the action taken thereon.
- Rule 7.** These rules may be suspended or amended at any time by a 2/3 vote of the Board.

CHAPTER II - APPLICATIONS

SECTION 1 – CITIZENSHIP AND RESIDENCY REQUIREMENTS

All Applicants for examination must be citizens of the United States and/or an alien admitted for permanent residence or lawfully admitted for temporary residence and who produces evidence of intention to become a citizen of the United States at the time of application.

SECTION 2 - APPLICATIONS

Applications for a position shall be filed upon forms sanctioned by the Commission. Applicants must comply with the requirements of said form in every respect. Applicants will be required to pay a non-refundable application fee, as authorized by the Board, prior to obtaining the application. The application must be filed with the Board prior to taking an examination.

Every Applicant must be of good moral character and must be physically able to perform the duties of the position applied for and shall be responsible for advising the Commission of any changes in any information disclosed in the application. The burden of establishing these facts rests upon the Applicant.

The Applicant shall furnish with the application for examination a copy of his or her driver's license, Military Service Record, Discharge Papers, Birth Certificate, Naturalization Papers, Social Security Card, High School Diploma or G.E.D. Certificate, a copy of the College or University Degree and, if requested, a copy of a certified transcript of course work from an accredited College or University and/or proof of residency, if applicable.

An Applicant who knowingly makes a false statement in the application for examination, connivance in any false statement made in any certificate which may accompany such application or complicity in any fraud touching the same, shall be regarded as sufficient cause for exclusion from the examination process.

(Firefighter only):

- Applicants must possess 20/20 corrected vision and cannot be color blind.
- Applicants must present a valid CPAT card with LADDER CLIMB at time of Conditional Offer of Employment.

(Police officer only)

- Applicants must possess 20/20 corrected vision and cannot be color blind.
- Applicants must pass the Physical Agility Test-police officer (POWER test) after the Initial Eligibility Register (but prior to finalization of the Final Eligibility Register) and upon appointment. Failure of the Applicant to take and pass the POWER test shall eliminate him or her from further consideration in that particular examination cycle.

SECTION 3 - DISQUALIFICATION

Consistent with the applicable law pertaining to fair employment and disabilities, the Board shall refuse to examine an Applicant or, after examination, to certify him or her as eligible:

- A. Who is found lacking in any of the established preliminary requirements for the service for which he or she applies.
- B. Who is physically, mentally or medically unable to perform the duties of the position to which he or she seeks appointment.

- C. Who is addicted to the use of intoxicating beverages or uses drugs and/or narcotics illegally.
- D. Who has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in §10-2.10-6 of the Board of Fire and Police Commissioners Act.
- E. Who has attempted to practice any deception or fraud in his or her application.
- F. Who may be found disqualified in personal qualifications or health.
- G. Whose character and employment references are unsatisfactory.
- H. Who has been classified by his or her Local Selective Service Draft Board as a conscientious objector.
- I. Who in the opinion of a licensed physician has any physical, mental or medical condition or disorder that would create a safety risk to the Applicant, any City employee or to the public if the Applicant were hired.
- J. Who is entered as a gang member or associate in LEADS or similar law enforcement data system.
- K. Who omits material information in his application, supporting documents, or other submissions to the Commission or the City.
- L. Who fails to cooperate in the application process, including but not limited to failure to provide full and complete information, to respond to any request for information, or to provide authorization in order to receive information or records from third parties.
- M. Who has failed to appear for, or failed any element of the examination(s) or otherwise has not successfully completed any portion of the examination process.
- N. Who has been dismissed from any public service for a good cause.

Any Applicant or person on an Eligibility List deemed disqualified hereunder, shall be notified by the Board.

SECTION 4 - DEFECTIVE APPLICATIONS

Applicants shall be responsible for submitting complete applications and all required documents. The submittal of an incomplete application or failure to submit required documents shall not constitute the basis for any claim or action against the Secretary, the Board or the City.

SECTION 5 - PHYSICAL AND MEDICAL EXAMINATIONS

Applicants for original appointment shall be subject to pass a test of physical agility, and shall be required to submit to pass a thorough medical examination by a licensed physician appointed by the Board of Fire and Police Commissioners of the City of Joliet.

SECTION 6 - AGE REQUIREMENTS

Except as provided in 65 ILCS 5/10-2.1-6.3 (original appointments; full-time fire department), all Applicants shall be under 35 years of age. No person 35 years of age or older shall be appointed to the position of firefighter or police officer. If an Applicant becomes over age during the application process or while on an active eligibility list, such Applicant shall not be allowed to continue with the application process, shall not be appointed and such Applicant's name shall be deemed immediately stricken from the active eligibility list. Applicants who are 20 years of age by the date of the application deadline shall be eligible to take the initial examination, but will not be eligible for appointment (and shall be passed over) until such time as the Applicant reaches 21 years of age. Proof of birth date will be required at time of application.

SECTION 7 - EDUCATION REQUIREMENT

Applicants for police officer or firefighter must have a high school diploma or an equivalent high school education certificate as recognized by the Illinois State Department of Education (GED certificate).

SECTION 8 - NOTICE OF ACCEPTANCE

The Secretary shall notify all Applicants whose applications have been accepted by the Board and shall notify the Applicants that they are required to be present for any orientation and subsequent examination. Such notification shall be done pursuant to the requirements of 65 ILCS 5/10-2.1-6.3.

SECTION 9 - RELEASE OF LIABILITY

All Applicants shall execute and deliver to the Board a valid release of all liability as the result of taking a physical agility test and/or a medical examination in favor of the City of Joliet on a form to be prescribed by the Board. All Applicants shall execute and deliver to the Board an "Acknowledgment/Consent to Background and Credit History Release".

CHAPTER III - EXAMINATIONS

ORIGINAL APPOINTMENTS - FIRE AND POLICE

SECTION 1 - NOTICE OF EXAMINATIONS

Examinations shall be held on the dates fixed by the Board and notice thereof shall be given in a newspaper of general circulation within the City of Joliet. Examinations may be postponed, however, by order of the Board, which order shall state the reason for such postponement and shall designate a new date for said examination. Applicants shall be notified of the postponement of any examination and of the new date fixed for said examination.

SECTION 2 - EXAMINATIONS

The Board shall call examinations to fill vacancies in the class of service in which vacancies are anticipated to occur. A call for such examination shall be entered in the Minutes of the Board and shall include a statement of:

- A. The time and place where such examination will be held.
- B. The location where applications may be obtained and the date by which applications must be returned to the Board.
- C. The position to be filled from the resulting eligibility list.

SECTION 3 - TYPE OF EXAMINATIONS

If mandatory, applicants are required to attend the orientation program sponsored by the Board. Failure to attend the orientation program will result in disqualification. In addition, Applicants will be required to participate in a physical agility test, written and oral examinations as determined by the Board and as more particularly set forth in section 4 below.

SECTION 4 - EXAMINATIONS

The following examinations may be conducted by the Board. The sequence of testing may vary at the discretion of the Board.

<u>Examinations</u>	<u>% of Total Grade</u>
Orientation	Attendance required (if mandatory)
Written Test	70% of overall score (weighted)*
Oral Test (Interview)**	30% of overall score

Initial Eligibility Register

Physical Agility Test-police officer (POWER test)	Pass or Fail
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Preference Points***

Final Eligibility Register

Background Investigation	Pass or Fail
Polygraph Test	Pass or Fail
Psychological Examination	Pass or Fail

Conditional Offer of Employment

Medical/Vision Examinations	Pass or Fail
Physical Agility Test - police officer (POWER test)	Pass or Fail
Physical Agility Test - firefighter (CPAT and LADDER climb)	Pass or Fail
Present valid CPAT with LADDER climb certificate at time of Conditional Offer of Employment	

* The Board will review the number of Applicants who have taken the Written Examination and select a cut-off number estimated to be an amount sufficient to replace estimated vacancies over a maximum two-year period.

** The number of Applicants selected for Oral Examination shall be at the discretion of the Board. At any point subsequent to the initial round of oral examinations, should the Board determine it is necessary to have additional Applicants participate in oral examinations, the Board shall select additional Applicants to participate in the oral examination.

*** Any Applicant whose name appears on the "Initial Eligibility Register" who is claiming preference points, shall, within ten (10) business days after the date of the "Initial Eligibility Register", submit a written claim to the Board for preference points, with proof thereof, or such claim shall be deemed waived. The number of Preference points shall be awarded in accordance with the attached Appendix.

All Fire Applicants on the Final Eligibility List shall maintain a Candidate Physical Agility Test Certification (CPAT) that is not more than one year old. No CPAT certification more than one (1) year old from the date of notice from the Board will be considered. No Applicant shall receive a conditional offer of appointment without having provided evidence of such successful completion of CPAT.

SECTION 5 - ORIGINAL APPOINTMENT - WRITTEN EXAMINATION

The Board may provide information as to the type of written examination employed by the Board as part of the orientation program.

All examination papers shall be and remain the property of the Board and the grading thereof shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description.

A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of these Rules and Regulations, commits a violation of the Rules and Regulations and may be subject to immediate disqualification from the examination process. A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the appointment examination process.

SECTION 6 - ORIGINAL APPOINTMENT - ORAL EXAMINATION

The Board will review the number of Applicants who have taken the Written Examination and select a cut-off number estimated to be an amount sufficient to replace estimated vacancies over a maximum two-year period. On a date and at a time and location set by the Board, an oral examination shall be given to and taken by said Applicants. Applicants who fail to appear or participate in the Oral Examination will be notified and eliminated from all further consideration in that particular examination cycle. At any point subsequent to the initial round of oral examinations, should the Board determine it is necessary to have additional Applicants participate in oral examinations, the Board shall select additional Applicants to participate in the oral examination.

SECTION 7 - INITIAL ELIGIBILITY REGISTER / PREFERENCE POINTS

The Commissioners will prepare an "Initial Eligibility Register" of the Applicants successfully completing the orientation, written test and oral test. Applicants shall be placed on the Initial Eligibility Register in order of their relative excellence as determined by their test scores.

This Initial Eligibility Register is subject to change with the addition of preference points as prescribed in the attached Appendix.

Any Applicant whose name appears on the Initial Eligibility Register who is claiming preference points, and shall, within ten (10) business days after the date of the "Initial Eligibility Register", submit a written claim for preference points, with sufficient written documentation of proof thereof (e.g. submit DD214 to qualify for Veteran's points / official transcript for educational points) to the Board or such claim shall be deemed waived.

An applicant shall be eligible for bi-lingual preference points when they have demonstrated proficiency in an eligible language other than English to the satisfaction of the criteria set forth by the fire and police board. Eligible languages shall be determined by a threshold of 5% of the population of the City of Joliet, as determined by the most recent U.S. census.

Any Applicant who knowingly falsifies their claim for preference points will be will be notified and eliminated from all further consideration in that particular examination cycle.

A dated copy of the Initial Eligibility Register shall be made available to each person appearing thereon.

SECTION 8 - FINAL ELIGIBILITY REGISTER

The Commissioners will prepare a "Final Eligibility Register" which shall include claimed preference points. The Applicants will be listed in order of excellence based on their final score. In the event of a tie score, the placement of the tied Applicants' names on the Final Eligibility Register shall be determined by lot in whatever manner the Board deems appropriate.

A dated copy of the Final Eligibility Register shall be made available to each person appearing thereon. This copy shall include the date of expiration of the Final Eligibility Register.

Applicants shall be appointed from the Final Eligibility Register in descending order notwithstanding anything to the contrary contained within these rules and regulations.

Appointment from this Final Eligibility Register is subject to satisfactorily passing a polygraph and psychological examination, background investigation, credit history, a thorough medical examination (which may include a test of the Applicant's vision, hearing, for the presence of communicable diseases as well as any test to screen for the use of drugs and/or narcotics), and as set forth in these Rules & Regulations.

SECTION 9 - ORIGINAL APPOINTMENT - PHYSICAL AGILITY TEST

All Applicants shall be required to submit themselves and pass a physical agility test: firefighter (CPAT and LADDER test) / police officer (POWER test). Such testing shall be conducted in compliance with 65 ILCS 5/10-2.1-6.3(f).

SECTION 10 - PROFESSIONAL EXAMINATIONS AND TESTS

Any Applicant for original appointment to the Fire or Police Department of the City of Joliet, Illinois, will be required to submit to a Background Investigation. This investigation shall include, but not be limited to, examination of the Applicant's academic records, investigation of any civil or criminal action involving the Applicant, fingerprinting, and be subsequently cleared by a check with the Federal Bureau of Investigation, verification of the Applicant's employment and personal history as described in the application, and investigation of any factors which might make the Applicant unsuitable for service in the Fire or Police Department.

Each Applicant for original appointment shall submit to a psychological examination by such psychologist or psychiatrist as the Board may designate. Such examination shall be without

expense to the Applicant. Failure of the Applicant to take or successfully complete such test shall eliminate him or her from further consideration in that particular examination cycle.

Any Applicant for original appointment to the Fire or Police Department of the City of Joliet, Illinois, will be required to submit to a Polygraph Device Deceptive Test, commonly known as a Lie Detector Test, at such time and place as the Board may designate. An Applicant shall be considered to have failed the polygraph examination if the Board finds that the Applicant has (1) admitted during the pre-test interview any wrongdoing or the commission of any act that would otherwise disqualify the Applicant from appointment; (2) admitted during the pre-test interview any wrongdoing or act that was not admitted in the Applicant's application and would disqualify the Applicant from appointment; (3) admitted wrongdoing during the course of the polygraph test that was not admitted during the pre-test interview; (4) answered questions during the course of the polygraph test in a manner that the Board determines to be indicative of deception. Such test shall be given without expense to the Applicant. Failure of the Applicant to take or successfully complete such test shall eliminate him from further consideration.

SECTION 11 - PROBATIONARY APPOINTMENT

All vacancies in the Joliet Fire Department or the Police Department shall be filled by individuals from the Final Eligibility Register in the order in which their names appear on the Final Eligibility Register and having met all requirements previously listed. The Board shall first consider the highest ranking Applicant on the Final Eligibility Register. If that person is rejected for appointment then his or her name shall be permanently stricken from the Final Eligibility Register.

After a conditional Offer of Employment, any Applicant for original appointment to the Fire or Police Department of the City of Joliet, Illinois, will be required to submit to a Medical Examination (which may include a test of the Applicant's vision, hearing, for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics). If the medical examination reveals a condition that would prevent the eligible Applicant from performing essential job functions or duties of the position for which he or she is being considered, without reasonable accommodation, the conditional offer of employment shall be withdrawn.

All original appointments to the fire and police departments shall be for a probationary period covered under the applicable collective bargaining agreement, if any.

Any person whose name appears on the Final Eligibility Register may request, in writing, to be skipped or passed over for appointment one time without otherwise altering the Applicant's original position on the Final Eligibility Register. Any person whose name appears on the Final Eligibility Register may also decline appointment. It shall be the option of the board to strike from or maintain upon the register the name of such Applicant who declines appointment without otherwise altering the Applicant's original position on the Final Eligibility Register.

Probationary employees may be summarily dismissed by the Chief and are not entitled to the protection afforded to other full-time police officers or firefighters by statute or these rules.

All persons hired on or after ratification of this agreement shall, as a term and condition of employment, reside within the corporate limits of the City of Joliet (City Limits) within eighteen (18) months of initial employment and shall remain within the City Limits until their 20th anniversary. Any employee who attains their 20-year anniversary date of employment with the City shall not thereafter be required to reside within the City Limits.

SECTION 12 - CERTIFICATION

Final certification of probationary Police Officers shall be subject to successful completion of the Basic Training Course as provided by the Illinois Law Enforcement Training and Standards Board within the prescribed probationary period. Inability to successfully complete this course shall be grounds for dismissal.

Final certification of probationary Firefighter/Paramedics shall be subject to successful completion of the Certified Firefighter Basic Training Course as prescribed by the Office of the State Fire Marshall and the successful completion of the Emergency Medical Technician Basic (EMT-B) Course as prescribed by the Illinois Department of Public Health, within the prescribed probationary period. Inability to successfully complete these courses shall be grounds for dismissal. Failure to obtain the Illinois State Paramedic License and successfully test into the Silver Cross EMS System shall be grounds for immediate dismissal.

CHAPTER IV - PROMOTIONAL EXAMINATIONS

SECTION 1 - GENERAL

The Board, by its rules, shall provide for promotion in the Fire and Police Departments on the basis of seniority in service and examination and if applicable, ascertained service evaluation and shall provide in all cases that vacancies shall be filled promptly. All examinations for promotion shall be competitive among such members of the next lower rank as desire to submit to examination. All promotions shall be awarded to the individual having the highest rating on the Promotion List. The method of examination and the rules governing examinations for promotion are specified below. The Promotion List shall expire after three (3) years, provided there is no vacancy existing which can be filled from the Promotion List. For the purpose of determining that a vacancy exists, in the case of a vacancy in an existing position, the Board shall fill the vacancy using the Promotion List that was in effect at the time the vacancy occurred, whether or not a successor Promotion List is published. In the case of a newly created position, the Board shall fill the vacancy using the Promotion List that was in effect at the time the Mayor and City Council specifically authorized the City Manager to fill the vacancy.

- A. FIRE PROMOTIONS:** The computation of grade for promotional appointment in the Fire Department shall consist of a weighted grade based upon a maximum 80% written examination, and 20% seniority. A promotional applicant must achieve a minimum seventy (70) percent on the written examination or the applicant will not be considered eligible for promotion. In determining the eligible register, only the final grade for this promotional appointment shall be considered in arriving at the relative ranking of individuals on an eligible register. The final grade shall be determined and comprised of the total of weighted scores for the written examination and seniority. No firefighter will be promoted to the rank of fire lieutenant until he or she has been employed as a firefighter for eight (8) years. If the firefighter has less than eight (8) years at time of promotion, said firefighter shall be passed over but remain on the eligible register.
- B. POLICE PROMOTIONS:** The computation of grade for this promotional appointment shall consist of a weighted grade based upon a maximum 60% written examination, 15% seniority, and 25% oral technical examination. A promotional applicant must achieve a minimum 70% on the written examination and a minimum combined score of 70% on the written examination and the oral examination to be considered eligible for promotional appointment. In determining the eligible register, only the final grade for this promotional appointment shall be considered in arriving at the relative ranking of the individual on an eligible register. The final grade shall be determined and comprised of the total weighted scores for the written and oral examinations, and seniority points.
- C. SENIORITY:** The seniority credit shall be provided for the total time the candidate has served as a sworn member of the Department in which promotion is sought. Seniority credit shall be established on the date of the examination and up to a maximum of 15% for police promotions and 20% for fire promotions and shall be provided on the following basis:

FOR POLICE (15 points maximum):

Months of Service	Number of Percentage Grade Points
1 to 48 months	2
49 to 60 months	5
61 to 72 months	6
73 to 84 months	7
85 to 96 months	8
97 to 108 months	9
109 to 120 months	10
121 to 132 months	11
133 to 144 months	12

145 to 156 months	13
157 to 168 months	14
169 to 180 months	15

Fire seniority credits shall be calculated based on the total amount of departmental seniority accumulated by the employee. One full year of departmental seniority shall equal one point. A partial year of departmental seniority shall equal .00274 points per calendar day of departmental seniority. The calculation of departmental seniority shall commence on the date of appointment to the department and shall include every day of full time service in the department thereafter, including the date of promotional examination. For example, an employee appointed to a full time basis to the department on January 1, 1990 shall have 15.1260 points of fire seniority credits as of a promotional examination given on February 14, 2005, provided the employee remained employed with the department on a full time basis during that entire period.

- D. PROMOTIONS OF QUALIFIED CANDIDATES:** The Board shall certify and maintain a list of eligible candidates for promotion, by classification and rank, of persons having passed the promotional examinations. Promotional appointments shall be made from the list of eligible candidates in the order of ranking of the candidates on the Promotion List ("Rule of One").

With regard to the fire department, the Board shall be authorized to pass over the highest ranked candidate on the list of eligible candidates pursuant to 50 ILCS 742/20(d).

With regard to the police department, when it is established that there exists just cause that prevents the highest ranked candidate from performing his or her responsibilities if promoted. In such event, the next highest ranked candidate shall be promoted. The Board shall be authorized to make the determination whether just cause exists for not promoting the highest ranked candidate and shall take into account recognized precedent as to what constitutes just cause. If the Board receives evidence that just cause to pass over a candidate may exist, then the Board shall notify the candidate of such evidence and afford the candidate an opportunity to be fairly and impartially heard and to offer any rebuttal evidence. The Board, in making its determination, shall also be authorized to review all personnel files of the candidate, may request information from the Chief of the Department, and may request a background investigation to be conducted by the Police Department or any other investigatory agency it may choose.

- E. Preference Points:** Candidates, who are otherwise qualified and have properly requested credit for prior military service, shall be granted up to three and one-half (3.5) veteran's preference points as set forth in 65 ILCS 5/10-2.1-11, within ten (10) business days after the date of the Written Test or such claim shall be deemed waived. Such veteran's preference points shall be used only once for one

promotional rank (e.g. shall not be utilized more than one time for multiple promotional ranks).

- F. **Collective Bargaining Agreement:** If there is a direct and specific conflict between these Rules and express provisions of a valid collective bargaining agreement, than the collective bargaining agreement shall take precedence, but only to the extent of such conflict. Any ambiguity shall be resolved in favor of the Rules.

SECTION 2 - TOTAL SCORE

A candidate's total score shall consist of the combined scores of the written examination and oral examination (if applicable) plus seniority credit and preference points. Candidates shall take rank upon a Promotion List in the order of their relative excellence as determined by their total score. In the event of a tie score, the placement of the tied candidates' names on the Promotion List shall be determined by lot in whatever manner the Board deems appropriate or as set forth in the applicable bargaining agreement. This Section shall be subject to the provisions of the applicable collective bargaining agreement.

SECTION 3 - PROMOTIONAL VACANCY

When there is a promotional vacancy on the police department, upon notice from the City Manager, the Board must fill the vacancy from the Promotion List in effect on the date the Mayor and City Council specifically authorized the City Manager to fill the vacancy. In the case of a vacancy in an existing position, the Board shall fill the vacancy using the Promotion List that was in effect at the time the vacancy occurred, whether or not a successor Promotion List is published. In the case of a newly created position, the Board shall fill the vacancy using the Promotion List that was in effect at the time the Mayor and City Council specifically authorized the City Manager to fill the vacancy.

Promotional vacancies on the fire department shall be filled in accordance with the Fire Department Promotions Act (50 ILCS 742/1, et. seq.)

CHAPTER V - ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE

SECTION 1 - RANK

The order of rank in the Police Department shall be sergeant, lieutenant and captain, as provided by ordinance and municipal budget.

The order of rank in the Fire Department shall be lieutenant, captain and battalion chief, as provided by ordinance and municipal budget.

SECTION 2 - CLASSIFICATION

The Board classifies such offices in the fire and police departments for the purpose of establishing and maintaining standards of examinations and promotions based upon job descriptions and departmental regulations.

SECTION 3 - OATH OF OFFICE

Before entering duty, any person about to become a member of the Police or Fire Department, shall take the following oath, before any person authorized to administer oaths in the State of Illinois:

"I _____, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Illinois, the Rules and Regulations of the Board of Fire and Police Commissioners of the City of Joliet, and the Rules and Regulations of the Joliet _____ Department, and that I will faithfully discharge the duties of the office of _____ according to the best of my ability.

CHAPTER VI - HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES

SECTION 1 - HEARING OF CHARGES

- A. The provisions of the Illinois Code of Civil Procedure shall not apply to hearings before the Board.

- B. "Counsel" as used herein means a person currently holding a license in good standing to practice law in the State of Illinois.
- C. At the time and place of hearing, both parties may be represented by counsel, if they so desire.
- D. All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter retained by the Board or recorded by some other means as the Board may specify so long as rights of appeal are preserved under law.
- E. The records of all hearings will not be transcribed by the court reporter unless requested to do so by the board or any party of interest.

SECTION 2 - HEARING PROCEDURE

- A. Complaints: In all cases, written complaints shall be filed, setting forth a plain and concise statement of the facts upon which the complaint is based.
- B. Continuances: The matter of granting or refusing to grant a continuance of a hearing is within the sound discretion of the Board.
- C. Stipulations: Parties may, on their own behalf, or by Counsel, stipulate and agree in writing, or on the record, as to evidenced guilt. The fact so stipulated shall be considered as evidence in the proceeding.

In the event a respondent has been suspended pending a hearing and desires a continuance, it shall also be stipulated and agreed that in the event said respondent is to be retained in his position as a result of a decision of the Board following a hearing of the cause, any compensation shall be decided by the Board during the period of said continuance.

- D. Sufficiency of Charges - Objections To: Motions or objections to the sufficiency of written charges must be filed in writing with the Board and served on opposing counsel not less than two (2) business days prior to the hearing before the Board.

SECTION 3 - SUBPOENAS

- A. Any party to a hearing before the Board may, at any time before the hearing, make application to the Board by filing with it a written request for subpoenas for any individual to appear for a hearing or have them produce books, papers, records, accounts and other documents as may be deemed by the Board to be relevant to the hearing. On the filing of such application, subpoenas will be issued for the

named persons. Subpoenas may be served by any person 21 years of age or older designated by the party requesting the subpoenas. Application for subpoenas should contain the names and addresses of the individuals to be subpoenaed, and the identity of any documents which they are to produce. Subpoenas may not be issued for any person residing outside of the State of Illinois.

- B. Any request for continuance by reason of inability to serve subpoenas shall be filed with the Board and served on opposing counsel at least three (3) calendar days before the date set for such hearing, provided, however, that the Board in its discretion may waive this rule.

SECTION 4 - SERVICE

All papers required by these Rules and Regulations to be served shall be delivered personally to the party designated or mailed, by United States mail in an envelope properly addressed with postage prepaid, to the designated party at his last known residence as reflected by the complaint filed with the Board, except as herein otherwise provided. Proof of service of any paper may be made by the certification of any person so mailing the paper or delivering the same to the designated party personally, or by filing a return receipt showing that a paper was mailed, by either registered or certified mail, return receipt requested, to a party's address where it was received by a named party. Facsimile or electronic mail service to opposing counsel is permitted if mutually agreed to in advance.

SECTION 5 - FILING

All papers may be filed with the Board by mailing them or delivering them personally to the Secretary of the Board at the Joliet Municipal Building, Joliet, Illinois. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's Office, in the event the paper is delivered personally or by messenger. In the event a paper is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope of such paper.

SECTION 6 - FORMS OF PAPER

- A. All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.
- B. If typewritten, the lines shall be double spaced, except that long quotations may be single-spaced and indented.
- C. All papers shall be not larger than 8½" by 11" with inside margins of not less than one inch.

- D. The original of all papers filed shall be signed in ink by the party filing the paper or by an officer, agent, or attorney thereof and copies thereof provided the opposing party or his counsel.
- E. If papers are filed by an attorney, the attorney's name and address and telephone shall appear thereon.

SECTION 7 - COMPUTATION OF TIME

The time within which any act under these Rules is to be done shall be computed by excluding the first day and including the last, unless the last day is Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in the State, and then it shall also be excluded. If the day succeeding such Sunday or holiday is also a holiday or a Sunday then such succeeding day shall also be excluded.

SECTION 8 - SUSPENSION/TERMINATION

A. SUSPENSION

1. The Chiefs of the Fire and Police Department shall have the authority to suspend with or without pay, any member of the Police or Fire Department, as the case may be, for a period not to exceed thirty (30) calendar days, providing no charges on the same offense have been filed and are pending before the Board.
1. Any police officer or firefighter suspended for a time period exceeding forty (40) working hours may appeal to the Board for a review of the suspension within seven (7) calendar days after receiving notice of such suspension by filing notice of such appeal in writing with the Secretary of the Board. Any police officer or firefighter may also waive any and all rights to a hearing before the Board and refer the matter to arbitration.
3. The Chiefs of the Fire and Police Department may suspend, with or without pay, for a period not to exceed 30 days, any member of the Fire or Police Department against whom charges have been filed pending a hearing of the charges by the Board.
4. A hearing shall be convened upon within thirty (30) calendar days of filing thereof, and due notice given to the Chief of the Department who suspended such police officer or firefighter.

5. The burden of establishing that a suspension is warranted shall be upon the Chief of the Department.
6. Upon such appeal, the Board may: (1) sustain the action of the Chief of the Department; (2) reverse it with instructions that the police officer or firefighter so suspended receive his pay for the period involved; (3) suspend the police officer or firefighter for a period of not more than ninety (90) calendar days; or (4) discharge the police officer or firefighter, depending on the evidence presented.
7. For the purpose of determining issues of pay in connection with suspensions, and for no other purpose whatsoever, a calendar day shall constitute eight hours of pay calculated at the employee's straight time hourly rate, including education, longevity and other compensation typically included in base salary for calculating overtime pay, but not including compensation in connection with holidays.

B. TERMINATION

1. The Chief of the Fire or Police Departments may recommend discharge of a police officer or firefighter under his command to the Board.
2. The Chief of the Fire or Police Departments may suspend, with or without pay, for a 30-day period, any member of the Fire or Police Department against whom charges have been filed pending a hearing of the charges by the Board.
3. A hearing shall be convened upon within thirty (30) days of the date of filing thereof, and due notice given to the Chief of the Department who seeks to terminate such police officer or firefighter. Any police officer or firefighter may also waive any and all rights to a hearing before the Board and refer the matter to arbitration.
4. The burden of establishing that termination is warranted shall be upon the Chief of the Department.
5. Upon such recommendation, the Board may: (1) sustain the action of the Chief of the Department; (2) reverse it with instructions that the police officer or firefighter so suspended receive his pay for the period involved; (3) suspend the police officer or firefighter for a period of not more than ninety (90) calendar days; or (4) discharge him, depending on the evidence presented.

6. For the purpose of determining issues of pay in connection with termination, and for no other purpose whatsoever, a calendar day shall constitute eight hours of pay calculated at the employee's straight time hourly rate, including education, longevity and other compensation typically included in base salary for calculating overtime pay, but not including compensation in connection with holidays.

SECTION 9 - DISCHARGE OR SUSPENSION AFTER HEARING

The Board shall, within a reasonable time after the hearing is completed, enter its order and findings on the records of the Board.

SECTION 10 - DATE OF HEARING

The time for the hearing of charges shall be set by the Board, within thirty (30) days of the time of the filing of such charges. Continuances may be granted from time to time upon motion of any party to the proceeding by order of the Board. The failure to schedule a hearing in the time set forth herein shall not deprive the Board of jurisdiction or authority.

SECTION 11 - FINDINGS AND DECISION

In case any member of the Fire or Police Department shall be found guilty of the charges filed against him after a hearing by the Board, he may be discharged, or suspended for a period without pay. The Board may sustain the action of the Chief, may reverse it, in whole or in part, or may suspend the member for an additional period of not more than ninety (90) calendar days or discharge the member depending on the facts presented.

The findings and decision of the Board, following a hearing of charges, shall be preserved by the Secretary, and notice of said finding and decision sent to the member involved and the Chief for enforcement. If the finding or decision is that a member is guilty of charges investigated, and removal or discharge is ordered, such order of removal or discharge shall become effective forthwith.

SECTION 12 – VIOLATION OF RULES

All members of the Fire and Police Departments shall be subject to the regulations of such Departments, and the Rules of the Board, and a violation of such rules or regulations may be cause for filing of charges before the Board, a subsequent hearing and action by the Board on such charges.

SECTION 13 - VIOLATION OF LAW

Any violation of the laws of the municipality or state or federal law, by any member of the Fire and Police Department of such municipality may be cause for the filing of charges against said police officer or firefighter, except as herein otherwise provided. This paragraph does not, in any way, limit or restrict the bases under which charges may be filed.

CHAPTER VII - GENERAL

SECTION 1 - BOARD POWERS

The Board shall have such Powers as are given it by the Statutes of the State of Illinois, these Rules and Regulations, and by ordinance.

SECTION 2 - CONFLICT OF RULES

Pursuant to the home rule authority of the City of Joliet, these Rules shall preempt state law where such pre-emption is authorized by statute.

SECTION 3 - AMENDMENTS

Amendments to the Rules of the Board may be made at any meeting of the Board subject to ratification thereof by the City Council.

SECTION 4 - POLITICAL CONTRIBUTIONS

No person in the Fire Department or Police Department of the City of Joliet, Illinois, shall be under any obligation to contribute any funds to render any political service, and no such person shall do so or be removed or otherwise prejudiced for refusing to do so. No person in the Fire Department or the Police Department of the City of Joliet, Illinois, shall discharge or promote or reduce, or in any manner change the official rank or compensation of any other person in such service, or promise or threaten so to do, for withholding or refusing to make any contribution of money or service or any other valuable thing for any political purpose, or in any other manner, directly or indirectly, use his official authority or influence to compel or induce any other person to pay or render any political assessment, subscription, contribution or service.

SECTION 5 - DISCIPLINARY POWER

A. EMPLOYEE CONDUCT

The standard of conduct for all Joliet Firefighters and Police Officers shall be in the public interest, as opposed to individual or personal interest. Therefore, in order to render the best possible service to the general public and to reflect credit to the City of Joliet, high standards of conduct are deemed essential. The tenure of every Joliet Police Officer and Firefighter shall be conditioned on good behavior and satisfactory performance of duties.

B. IMPROPER EMPLOYEE CONDUCT

The term “improper conduct” shall mean not only any improper action by a police officer or firefighter in his official capacity, but also any action which reflects discredit upon the City of Joliet or is a direct hindrance to the effective performance of the City of Joliet government functions and shall be considered good and just cause for disciplinary action. Circumstances constituting cause for disciplinary action is listed below, although charges may be based upon cause and complaints other than those listed.

1. Violation of the criminal laws of the United States or of any State or territory thereof, and any law having the conduct of police officers or firefighters within its purview.
2. The ingestion of alcoholic liquor while on duty. The illegal use of controlled substances as defined by federal law. Being under the unlawful influence of alcoholic liquor or controlled substances while on duty.
3. Abusive or improper treatment to any person provided the act committed was not necessarily or lawfully done in self-defense or to protect the lives of others, or to prevent the escape of a person lawfully in custody.
4. Offensive conduct or language toward the public, city officials or other city employees.
5. Incompetence or inability to perform the duties and responsibilities required of the class and rank.
6. Intentional damage to or negligence in the care and handling of city vehicles or property.
7. Violation of any lawful order made or given by a superior where such violation or failure to obey amounted to an act of insubordination or a serious breach of proper discipline, or resulted, or might reasonably have been expected to result in, loss or injury to the City or to the public.

8. Improper or unauthorized use of city vehicles or equipment.
9. Willful violation of any provision of the City Code, Departmental Rules and Regulations or any administrative regulation.
10. Solicitation or receipt from any person or participation in any fee, gift, or other valuable thing that is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons.
11. Claim of sick leave under false pretenses or providing a medical service with false or misleading information for the purpose of claiming any benefits offered by the City of Joliet.
12. Use or attempted use of political influence or bribery to secure an advantage in an examination, promotion, assignment or other condition of employment.
13. Absence from duty without leave, or failure to report for duty after leave of absence has expired or after such leave of absence has been disapproved or revoked by the proper authority.
14. Violation of the established Safety Rules of the City of Joliet.
15. Violating any fire or police department regulations or rules.

A copy of this section with any amendments thereto, shall be submitted to each respective chief to be posted in such manner as will bring it to the attention of all employees of such department.

ADDENDUM A

CITY RECOGNITION CITATIONS

It shall be the function of the Board of Fire and Police Commissioners to review all requests from the Chiefs of the Police and Fire Departments for Recognition Citations to recognize acts of heroism, bravery or outstanding work beyond the normal call of duty of officers and members of the Joliet Fire Department and the Joliet Police Department. If upon investigation, the majority of the Board of Fire and Police Commissioners determine that a request for a Citation is warranted at an appropriate date and location, formal recognition of such unusual act may be provided officers and members of the Joliet Fire and Police Departments. The three City of Joliet Recognition Citations established are:

1. The ***Joliet Valor Medal*** is to be granted only in recognition of an outstanding act of heroism in which the member or officer of the Joliet Fire or Police Department has demonstrated a high degree of unselfishness, personal courage, loyalty and devotion to duty. A red and blue ribbon bar with the imprint "Joliet Valor Medal" shall be awarded in formal ceremony and worn over the name plate or identification badge.
2. The ***Joliet Distinguished Service Award*** is to be granted only in recognition of a police officer or firefighter for an outstanding accomplishment which has resulted in more efficient, effective and improved departmental administration in which the recipient has gone far beyond the normal requirements to contribute to improved departmental services or for the performance of unusual and outstanding work which has brought recognition to the excellence of the department. A suitable award resolution shall be presented in formal ceremony.
3. The ***Joliet Silver Service Plaque*** is to be granted posthumously to the widow/widower and family of any firefighter or police officer killed in fulfilling his sworn obligation and in the line of duty. This plaque is in recognition of the act of bravery, heroism and unselfishness of the police officer or firefighter who gives his most precious possession so that others might live and be better for it. The Joliet Silver Service Plaque shall be awarded in formal ceremony by the Board, the Mayor and the City Council. A plaque imprinted with the recipient's name and appropriate biographical data shall be presented to the widow/widower and family of the slain police officer or firefighter.

Appendix A

Fire Department Preference Points

The following Appendix outlines the manner in which preference points shall be awarded pursuant to 65 ILCS 5/10-2.1-6.3(h) and the home rule powers as of the City of Joliet as provided in Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970. If a statutorily designated item does not appear in this Appendix, it shall be deemed to be granted zero points for that preference. A maximum of ten (10) preference points shall be awarded.

1. Veteran Preference: Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such military or naval service, shall be awarded five (5) preference points (*evidenced by submittal of DD 214*).

2. Education Preference: Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university shall be awarded two (2) points (*evidenced by submittal of official transcripts*).

3. Fire Cadet Preference: Persons who have successfully completed 2 years of study in a City of Joliet fire techniques or cadet training within a cadet program established under the rules of the Joint Labor and Management Committee (JLMC), as defined in Section 50 of the Fire Department Promotion Act, shall be awarded two (2) points.

4. Paramedic Preference: Persons who have obtained a State of Illinois Paramedic License shall be awarded two (2) points.

5. Bi-lingual Preference: Persons who are Bi-lingual and pass both an oral and listening test prescribed by the Board shall be awarded two (2) points. An applicant shall be eligible for bi-lingual preference points when they have demonstrated proficiency in an eligible language other than English to the satisfaction of the criteria set forth by the fire and police board. Eligible languages shall be determined by a threshold of 5% of the population of the City of Joliet, as determined by the most recent U.S. census.

See 65 ILCS 5/10-2.1-6.3(h), 65 ILCS 5/10-2.1-8 and 65 ILCS 5/10-2.1-9(b) of the Board of Fire and Police Commissioners Act.

Appendix B

Police Department Preference Points

The following Appendix outlines the manner in which preference points shall be awarded pursuant to 65 ILCS 5/10-2.1-8 and the home rule powers as of the City of Joliet as provided in Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970. A maximum of ten (10) preference points shall be awarded.

1. Veteran Preference: Persons who were engaged in the active military or naval service of the United States for a period of at least one year and who were honorably discharged therefrom, or who are now or may hereafter be on inactive reserve duty in such military or naval service, not including persons who were convicted by court-martial of disobedience of orders, where such disobedience consisted in the refusal to perform military service on the grounds of religious or conscientious objections against war, shall be awarded five (5) preference points (*evidenced by submittal of DD 214*).

2. Education Preference: Persons, who have successfully obtained an associate's degree in the fields of law enforcement or criminal justice, or a bachelor's degree from an accredited college or university, shall be awarded two (2) preference points (*evidenced by submittal of official transcripts*).

3. Cadet Preference: Persons who have participated in the Joliet Police Department cadet program shall be awarded two (2) preference points.

4. Experience Preference: Persons who have been awarded a certificate attesting to the successful completion of the Minimum Standards Basic Law Enforcement Training Course as provided in the Illinois Police Training Act and are currently serving as a law enforcement officer on a part-time or a full-time basis within the State of Illinois, shall be awarded two (2) preference points (*evidenced by submittal of official transcripts*).

5. Bi-lingual Preference: Persons who are Bi-lingual and pass both an oral and listening test prescribed by the Board shall be awarded two (2) points. An applicant shall be eligible for bi-lingual preference points when they have demonstrated proficiency in an eligible language other than English to the satisfaction of the criteria set forth by the fire and police board. Eligible languages shall be determined by a threshold of 5% of the population of the City of Joliet, as determined by the most recent U.S. census.

See 65 ILCS 5/10-2.1-6.3(h), 65 ILCS 5/10-2.1-8 and 65 ILCS 5/10-2.1-9(b) of the Board of Fire and Police Commissioners Act.